

**FIFTH DAY**

(Wednesday, January 22, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Harrington	Strong
Harris	Word
Hazlewood	

**Absent—Excused**

Bates	Watson
Hall	Wilson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Bates was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Connally.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Mauzy.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
January 22, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 5, Providing for the selection of a Poet Laureate for the State of Texas.

H. C. R. No. 8, Providing for a Joint Session to hear an address by the Honorable Preston Smith, Governor of the State of Texas, at 10:30 a.m., January 23, 1969.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Welcome to and Address by  
Lieutenant Governor Ben Barnes**

The President recognized Senator Aikin, who addressed the Senate as follows:

"Mr. President, some of my colleagues and I were talking this morning and we decided we wanted to tell you that we are delighted to have you over here. You are not exactly new at presiding and we are aware of that. We are happy to have a man in that Chair that all of us know, that most of us have served with. You are our former colleague and now you are over here as our Presiding Officer. We are delighted to have you here and we will do our best to try to help make you the kind of Lieutenant Governor that I know you want to be."

At the conclusion of Senator Aikin's remarks, all of the Members present gave a standing ovation to Lieutenant Governor Ben Barnes.

Lieutenant Governor Barnes then addressed the Senate, stating:

"Thank you very much, Senator Aikin, and all of the Members of the Senate. While the Chair may have had some previous experience as a Presiding Officer, I can assure you that the job as President of this Senate is a job that I know carries a great deal of responsibility. I am going to need the help and cooperation of every Member of this Senate. I want you to know that the pledge I made to you is one of cooperation and of fairness. I realize that this Session is going to be perhaps the most difficult in the history of Texas because of the problems we

face. I do think that we can have a very productive Session if we work together with a degree of seriousness, with decorum and with dedication of purpose. I look forward to the next hundred and thirty-five days. "Thank you very much."

#### Oath of Office Administered to Parliamentarian

The President administered the Constitutional Oath of Office to Frank Elliott, the Parliamentarian, as a new officer of the Senate appointed by the Lieutenant Governor.

#### Presentation of Guests

Senator Herring, by unanimous consent, presented Mrs. James P. Alexander, aunt of the Parliamentarian, and Mrs. Frank Elliott and daughter, Lindsey, as guests of the Senate today.

#### Message From the Governor

The following message received from the Governor today was read:

Austin, Texas,  
January 22, 1969.

To the Senate of the Sixty-first Legislature.

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be Secretary of State of the State of Texas: For a two-year term to expire January 19, 1971: Martin Dies, Jr., of Lufkin, Angelina County.

Respectfully submitted,  
PRESTON SMITH,  
Governor of Texas.

#### House Concurrent Resolution 8 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 8, Providing for a Joint Session to hear an address by the Honorable Preston Smith, Governor of the State of Texas, at 10:30 a.m., January 23, 1969.

The resolution was read.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Resolution 31

Senator Moore offered the following resolution:

Whereas, We have learned that one of our distinguished colleagues, Senator James S. Bates, has suffered the misfortune of being injured in a traffic accident in Austin on January 20; and

Whereas, It being the express desire of the Members of the Senate of this the 61st Session of the Legislature to wish Senator Bates a speedy recovery, and to advise him that his absence from our midst is felt by all; now, therefore, be it

Resolved, That the Senate of the State of Texas extend to Senator James S. Bates our sincere best wishes and hope that he will soon be completely recovered.

MOORE  
RATLIFF

Signed: Lieutenant Governor Ben Barnes, Aikin, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Patman, Schwartz, Snelson, Strong, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Strong, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Moore, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Executive Session

On motion of Senator Aikin, and by unanimous consent, the Senate agreed to hold an Executive Session at 11:25 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nomination of the Governor:

To be Secretary of State of the State of Texas: For a two-year term to expire January 19, 1971: Martin Dies, Jr., of Lufkin, Angelina County.

**In Legislative Session**

The President called the Senate to order as In Legislative Session at 11:37 o'clock a.m.

**Memorial Resolutions**

S. R. No. 32—By Senator Brooks: Memorial Resolution for Hiram Es-ric Patton. (Amended.)

S. R. No. 33—By Senator Mauzy: Memorial Resolution for Deputy Sheriff E. R. (Buddy) Walthers.

**Welcome and Congratulatory Resolutions**

S. R. No. 28—By Senator Word: Extending welcome to Mr. and Mrs. Joseph Chandler, et al.

S. R. No. 29—By Senator Aikin: Extending welcome to Honorable Gerald L. Brogoitti, et al.

S. R. No. 30—By Senator Aikin: Extending welcome to Mr. Dale Stockton and Mrs. Fay Stockton.

S. R. No. 34—By Senator Brooks: Extending congratulations to William Jeff Carlisle for his heroism.

**Adjournment**

On motion of Senator Aikin the Senate at 11:46 o'clock a.m. adjourned until 10:15 o'clock a.m. tomorrow.

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**APPENDIX**

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Sent to Governor

January 22, 1969

S. C. R. No. 6

S. C. R. No. 8

In Memory of  
**Mrs. Jordena Starkey Duncan**

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Senator Herring offered the following resolution:

(Senate Concurrent Resolution 10)

Whereas, On June 22, 1968, death brought to a close the fruitful and exemplary life of Mrs. Jordena Starkey Duncan, at the age of 94; and

Whereas, She was born March 7, 1874, in Austin, Texas; she enrolled in The University of Texas in 1891, eight semesters after the school was founded; she taught in the public schools of Albany, Georgetown, Fort Worth, Beaumont, and Round Rock; and

Whereas, In 1924, following the death of her husband, Mrs. Duncan moved to Georgetown, where she became housemother for Kappa Alpha Fraternity at Southwestern University; and

Whereas, In 1927 she joined the staff of the Texas Highway Department, where she served until 1948; she was a member of the Daughters of the Republic of Texas, and was one of the first members of the Texas Heritage Society, whose annual meetings she attended regularly; she was instrumental in placing historical markers throughout the city; and she headed the movement to restore the French Legation in Austin; and

Whereas, Mrs. Duncan was the author of articles on Texas history, having been noted as an authority and researcher in this field; her great-great uncle, Sir Swante Palm, was Swedish Consul to the Republic of Texas and was one of the founders of St. David's Episcopal Church; and

Whereas, The most pronounced characteristics of this outstanding gentlewoman was her devotion to her family, her church, and her God; she accepted the teachings that life and death are built into each other: "In my beginning is my end. In my end is my beginning"; she valued life in terms of standards based on decency, integrity, kindness, and courage; she had a deep and abiding faith, and a remarkable strength of character; and

Whereas, She was an active and devout member of the Episcopal Church, having been an active member of the Church of the Good Shepherd of Austin, where the Rectors and all who knew her sought and valued her counsel and her friendship; she would be the first to say to her family and her hundreds of friends: "Ye have sorrow now, but I will see you again, and your hearts will rejoice, and no one will take this joy from you"; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Texas Legislature by this Resolution show honor and respect to the memory of this beloved woman, and extend deep sympathy to the members of her family: to her sons, Dawson Duncan, of Austin, and Starkey Duncan, of Nashville, Tennessee; her grandchildren, Mrs. Erik C. Larsen, of Fort Benning, Georgia, and Dr. Starkey Davis Duncan, Jr., of Chicago; two great-grandchildren; three nieces, Mrs. Eleanor Brogren, of Georgetown, and Mrs. Alief Lewis and Mrs. Ernest Lundelius, of Austin; and two nephews, Gail Halton, of Austin, and John Halton, of Houston; and, be it further

Resolved, That official copies of this Resolution be prepared for her family, and that when the Senate and the House adjourn this day they do so in memory of Mrs. Jordena Starkey Duncan.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.